

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TAMARA M. LOERTSCHER,

Plaintiff,

v.

ORDER

ELOISE ANDERSON, BRAD D. SCHIMEL, and
TAYLOR COUNTY,

14-cv-870-jdp

Defendants.

After an evidentiary hearing, the court denied the State defendants' motion for a stay of the court's statewide injunction against enforcement of 1997 Wisconsin Act 292 pending appeal. Dkt. 263. Now the State defendants ask me to grant an emergency temporary stay while they seek a stay from the Seventh Circuit. Dkt. 264. I will grant this request in part, so that CPS agencies can continue with pending UCHIPS cases until the Seventh Circuit decides whether to grant a stay pending appeal. I have concluded that such a stay is not warranted. But if the Seventh Circuit decides otherwise, then pending cases will be have been temporarily disrupted.

Accordingly, I will stay the injunction with respect to the 25 pending UCHIPS cases. I will also stay the injunction to allow CPS agencies to provide case management services to those clients who have already been "screened in" to receive those services.

This temporary stay does not permit the filing of new UCHIPS petitions or the screening in of new clients by CPS agencies.

Entered May 18, 2017.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge